

12/11/19 Joint Committee on Appropriations- Impact of Flooding
1:00 PM Room 362
South Dakota Association of Towns & Townships

South Dakota Association of Towns and Townships is a member supported non-profit organization that provides education to their membership on roads and rights of ways within townships, legal clarification and organizational support to township officers.

Outline of Presentation Points

- I. Township Funding Sources
- II. Financial Constraints
- III. Township Supervisor Pressures
- IV. Access Challenges
- V. Infrastructure Failures
- VI. County Budget Shortfalls Passed Down to Townships
- VII. Statistics

Township Funding Sources

Brantford Township, Hamlin County

- Tax Levy - **\$40,000**
- Opt Out - **\$15,000**
- Annual Tax Levy - **\$16,000** (\$0.20/\$1000)
- 28% Motor Vehicle License - **\$27,684**
- Wheel Tax - **\$1,843**
- Bank Franchise Tax - **\$490**
- Dept. of Interior, in lieu of tax - **\$316**
- Pro Rate License – **\$2,935**
- Game License - **\$1,808**
- Motor Fuel Tax - **\$323**
- **Total Income - \$106,399**

Financial Constraints

- **Clark/Eden:** Scott Campbell- Clerk 880 5221

They normally can operate within their budget, but spent entire budget of \$28,000, borrowed \$35,000 from bank. 3 road are closed due to flooding. Worried about how to pay the 15% FEMA doesn't cover as well as bank loan.

- **Douglas/ Valley:** Ron Fuoss 770-1630

In attempt to find alternative funds, they considered having the residents purchase rock and materials, but learned it violated codified law 31-13-31 and may make it an ineligible FEMA situation per Attorney advisement.

- **Aurora/Hopper** Rocky VonEye- Townships desire engineers to provide mitigation advice but townships cannot afford their fees.
- **Beadle/ Valley** Scott Slepikas- All funds are depleted from snow removal and graveling damaged roads. Going into winter with no money to remove snow. Costs to maintain and gravel roads have gone up more than our income.
- **Brookings/Alton** Tom Davis-Chairman- Currently \$18,000 short after a \$145,000 budget and had to get line of credit from bank.
- **Brown/ Prairiewood** Budgeting for next year road conditions are concerns. Without the adequate fall maintenance, spring roads are expected to be worse than we can imagine.
- **Turner/Turner** Michael Stevens – Supervisor. Usually have \$60K budget. Estimate for all 3 disasters is around \$435k. They had to make \$200K in repairs and borrowed money from bank to do so with interest until reimbursed from FEMA. Regular maintenance was put on hold because funds ran out in the summer. Unable to have gravel delivered. River is still full going into winter. Intend to opt out for extra funding.
- **Hamlin/Brantford** \$106,000 budget. \$21,400 in repairs and over \$50,000 for sites over and above usual costs waiting for mitigation. Current account balance at \$0. Will receive approximately \$13-14,000 in taxes this month. Hoping enough for snow removal for the year and awaiting a check from FEMA. Bought a memorial gift with own money for a past township supervisor who served 40 years on the board because we had no funds left.

Township Supervisor Pressures

Township residents and growers taking matters into their own hands, disregarding barriers and closures to get to their animals to feed or take to market.

- **Hutchinson/ Silver Lake-** Dustin Walter 999 2603
 - \$7000 put into road so producer could get to his 300 cow/calf pairs. Still ruts up to his knees for 1 mile. They were trying to run ¼ loads and faced with closing the road leaving no way to feed cattle.
- Forced closures have caused deterioration of relationships.
- Having to implement strong responses such as warning letters for intentional damage to roads, then having to file charges against offenders. This weighs heavy on supervisors because they know it's a hardship for everyone but are charged to maintain roadways.
- **Aurora/Hopper** Rocky VonEye
 - Cannot find gravel haulers or contractors to do the work.
- Residents not understanding why they have to have miles of detours to work/school.

Access Challenges

- **Roberts/ Bryant** Charles Kostboth- Supervisor: They fear any increase in moisture come spring, closures will be the only option leaving several families living on an island. Mail routes and emergency vehicle travel will be impossible and they don't have funds to build up roads above the flooding stage.
- **Hanson/ Worthing** 7/31/19 Kevin Termeer- Clerk 605 770 1596. They have an intersection 1-2' under water. Because of an easement a landowner signed with SGF, they won't allow access to reduce the water level. The landowner has been land locked since March using 4- wheeler through field. Combine got stuck- only route for famer. \$29,000 was spent to raise the road & then 4" of rain put it under water again. Obstacles are GFP/ Ducks Unlimited/ NRCS because any attempt by township to deter the water level is in violation of a federal ordinance. Had been 15 acres underwater but has grown to 65 acres.
- **Day/Grenville:** All roads in township are short of gravel, 4 roads are closed due to flooding, and 8 different spots are under water.
- **Aurora/ Eureka:** Twshp laid 3 loads of oversized rock and had county hwy supt come to see if it could be bladed with one of their graders. They hwy supt got stuck. How do they get harvest done?

Infrastructure Failures

- **Charles Mix/ Jackson-** David Scott- 4th time replacing washed out 2- 5'x40' culverts which cost approximately \$19,500 the first time and totaling \$98,500 so far. This was a case also passed down from the county to the township after conversion from county specs to township specs. His county commissioners refuse to negotiate the costs with the township. The site is now in mitigation with FEMA, which will take months, maybe years.

- **Marshall/ Eden** has similar issue. Barb Stromseth- resident. Road underwater is only access to homes for 2 residents. Cost to raise the road is \$1.2 million and cost to go around is \$500K.

County Budget Shortfalls Passed Down to Townships

- **Turner/Childstown-** Bob Wollman: The county replaced their wooden bridge with 4-48" culverts. Now debris builds up and additional flooding, which normally would not have occurred. This has created an additional expense time & burden on townships to remove the debris with equipment they do not own.
- Cases where county **maintenance is passed to the township after conversion from county specs to township specs.** Has been reported to me from: Sanborn, Hutchinson, Charles Mix, Sisseton, Spink, Beadle, Yankton and county states to them no assistance with the inherited costs. 31-14-27 (2017)

Statistics

908 Active Townships Pre-Disaster:

- There are 615 Active Township opt outs- some townships have more than one
- Tyler Steen @ SD OEM reported:
 - **What is the total damage for the spring and September floods.** Our Preliminary Damage Assessments identified \$42.8 million for the spring flood and \$8.8 million for the September flood. These costs are estimates and include more than just township damage. The other 2 disaster figures were not yet shared.
 - **Roughly how many township dollars have been submitted to OEM so far.** \$544,517.30 This is a very rough number of what has been obligated by FEMA. Many of the townships are still working through the process of gathering costs, actual or estimated.
 - **Roughly the number of township claims submitted and yet to be submitted.** We don't have a good way to gather this information as the townships and FEMA may break projects apart for different reasons. Some townships may have one projects, some may have 10 or more.
- 102 townships participated in the Road & Bridge Improvement Levy (\$.50/\$1000) of that 41 used the max and 15 requested a specific amount which may translate to the max amount.
- Legislative Audit reported: \$65,457,093.64 total cash on hand at the end of the year 2018. See what the number is in 2020 when townships submit annual reports: **significantly less and utter devastation in rural South Dakota regarding infrastructure. DO NOT WAIT TO SEE THE NUMBERS, IT WILL BE TOO LATE FOR SOME TOWNSHIPS**
- Total amount of maintained township roads is: 31,231 (2014) Total amount of county roads is: approximately 35,000 miles. Equates to 90% of all roads in the state are township and county roads. Those 68,000 miles of maintained roads receive 32% of the states traffic.
- Townships and counties receive only \$700,000 from the Motor Fuel Tax Fund, reference 10-47B-149.1, which is money allocated from the gas tax refund for Ag. Approximately \$210,000,000 is collected in motor fuel tax. Counties and Townships receive 0.33%.